

Message Text

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PAGE 01 LIMA 00932 041901Z

53

ACTION EB-07

INFO OCT-01 ARA-06 ISO-00 SS-15 L-02 NSC-05 INRE-00 PA-01

PRS-01 USIE-00 SSO-00 NSCE-00 CAB-02 CIAE-00 COME-00

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FM AMEMBASSY LIMA

TO SECSTATE WASHDC IMMEDIATE 3754

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EO 11652: N/A

TAGS: EAIR, PE

SUBJECT: CIVAIR CONSULTATIONS

REF: LIMA 0913

1. THERE FOLLOWS BELOW SUGGESTED TEXT OF PRESS STATEMENT REFERRED TO IN REFTEL. AS INDICATED REFTEL, WE BELIEVE STATEMENT WOULD HAVE MOST IMPACT WERE IT TO EMANATE FROM WASHINGTON. WE WOULD LIKE TO PLAN RELEASE TEXT IN LIMA AS NEARLY SIMULTANEOUSLY AS POSSIBLE IS SPANISH FOLLOWING SOME SUCH INTRODUCTION AS "THE UNITED STATES DEPARTMENT OF STATE TODAY MADE THE FOLLOWING STATEMENT." BRANIFF AND WE AGREE THAT STATEMENT SHOULD BE RELEASED PROMPTLY, PREFERABLY NO LATER THAN FEBRUARY 6 AND EARLIER IF POSSIBLE.

2. SUGGESTED TEXT:

"THE DEPARTMENT OF STATE HAS NOTED STATEMENTS WHICH HAVE APPEARED IN THE PRESS, BOTH IN THIS COUNTRY AND PERU, WHICH CONVEY THE IMPRESSION THAT BRANIFF HAS AGREED TO OPERATE WITHIN THE RESTRICTIONS ESTABLISHED BY THE NEW PERMIT ACCORD

IT BY THE GOVERNMENT OF PERU AND WILL CONTINUE INDEFINITELY TO OPERATE IN KEEPING WITH THAT PERMIT. THE PROVISIONS
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PAGE 02 LIMA 00932 041901Z

OF THE OPERATING PERMIT ARE IN FACT SO RESTRICTIVE

THAT BRANIFF CANNOT OPERATE SUCCESSFULLY UNDER THEM. MOREOVER, THEY ARE NOT IN ACCORD WITH THE PROVISIONS OF THE BILATERAL CIVIL AIR AGREEMENT BETWEEN PERU AND THE UNITED STATES, THE UNITED STATES GOVERNMENT HAS AGREED TO PERMIT BRANIFF TO OPERATE UNDER THIS PERMIT ONLY ON A TEMPORARY BASIS IN ORDER NOT TO INCONVENIENCE THE TRAVELING PUBLIC UNDULY.

"THE DEPARTMENT IS FURTHER AWARE OF STATEMENTS IN THE PERUVIAN PRESS TO THE EFFECT THAT, WHILE BRANIFF SOUGHT TO MAINTAIN AND EXPAND ITS SERVICES TO PERU, IT WAS ALSO SEEKING TO PREVENT AEROPERU FROM EXPANDING ITS SERVICES TO THE UNITED STATES. THIS IS NOT TRUE. BRANIFF GAVE STRONG SUPPORT TO THE GRANTING OF AN UNRESTRICTED PERMIT TO AEROPERU, AND THE UNITED STATES GOVERNMENT HAS NOT TO THIS POINT IMPOSED ANY RESTRICTIONS ON THE NUMBER OF TIMES AEROPERU MAY FLY TO THE UNITED STATES. ON THE CONTRARY, IT HAS CONSISTENTLY BEEN THE POSITION OF THE UNITED STATES GOVERNMENT THAT THERE IS A LARGE AND EXPANDING MARKET FOR AIR SERVICES BETWEEN THE TWO COUNTRIES WHICH BOTH BRANIFF AND AEROPERU CAN PROFITABLY SERVE.

"THE OBJECTIVE OF THE UNITED STATES THROUGHOUT THE COURSE OF RECENT CIVIL AVIATION DISCUSSIONS WITH PERU HAS BEEN TO REACH AN AGREEMENT THAT WILL BE MUTUALLY BENEFICIAL TO THE AIRLINES OF BOTH COUNTRIES. IT IS IN THIS SPIRIT THAT THE UNITED STATES IS PREPARED TO CONTINUE THESE DISCUSSIONS, TAKING INTO ACCOUNT THE REAL NEEDS OF THE TWO AIRLINES. THE UNITED STATES HAS THROUGHOUT TRIED TO BE RESPONSIVE TO THE SPECIAL NEEDS OF AEROPERU. AS A NEW AND GROWING AIRLINE. IN THIS SPIRIT, THE UNITED STATES GRANTED AN OPERATING PERMIT TO AEROPERU WITHOUT CERTAIN CONDITIONS TO WHICH PERU HAD OBJECTED AND IN HALF THE TIME NORMALLY REQUIRED FOR THIS PURPOSE.

IN ADDITION, DURING THE COURSE OF RECENT DISCUSSIONS, IT OFFERED AEROPERU LANDING RIGHTS IN NEW YORK WITHIN THE CONTEXT OF AN OVER-ALL AGREEMENT. FOR ITS PART, BRANIFF OFFERED A COOPERATIVE SPACE-SHARING ARRANGEMENT TO AEROPERU WHICH WOULD HAVE BEEN BENEFICIAL TO AEROPERU. UNFORTUNATELY, THE TERMS OF THE OPERATING PERMIT WHICH THE GOP CIVIL AIR AUTHORITIES HAVE ISSUED TO GOVERN BRANIFF LIMITED OFFICIAL USE

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PAGE 03 LIMA 00932 041901Z

OPERATIONS BEGINNING FEBRUARY 1 DOES NOT ALLOW BRANIFF TO CONTINUE PROFITABLE SERVICE TO AND FROM LIMA.

" THE US GOVERNMENT CONTINUES TO BE READY TO NEGOTIATE SERIOUSLY AND IN GOOD FAITH, LOOKING TOWARD AN EQUITABLE SETTLEMENT OF THE CIVIL AIR ISSUES IN QUESTION, AND SEEKING AN AGREEMENT WHICH WILL PROVIDE FOR PARTICIPATION BY BOTH AEROPERU AND BRANIFF IN THE GROWING AIR TRAFFIC

TETWEEN OUR TWO COUNTRIES. THE US GOVERNMENT CONTINUES TO BELIEVE THAT THE CONVENIENCE OF THE TRAVELLING PUBLIC-- AND THE NEEDS OF TOURISTS, BUSINESSMEN AND OTHER VISITORS FLYING TO AND FROM LIMA--WILL BE BEST SERVED BY INCREASING, RATHER THAN REDUCING, THE TOTAL NUMBER OF FLIGHTS TO AND FROM PERU BY OUR TWO AIRLINES."

3. COMMENT: AS WASHINGTON WILL NOTE, IN THE FOREGOING WE HAVE ATTEMPTED TO SUGGEST A PRESS RELEASE TO CORRECT THE RECORD ON THE COURSE OF THE NEGOTIATIONS TO DATE, BUT TO AVOID USE OF POLEMICAL OR CHARGED LANGUAGE WHICH WOULD HAVE EFFECT OF GOADING GOP. WE THINK THIS APPROACH IS NECESSARY WITH GOP TO HAVE ANY HOPE AT ALL OF KEEPING THE DOOR OPEN FOR FURTHER NEGOTIATIONS. IN THIS REGARD ALSO, AMBASSADOR HAS SCHEDULED APPOINTMENT WITH PRIME MINISTER MORALES BERMUDEZ AT 3:45 P.M. TOMORROW (FEB. 5).
DEAN

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